

REMARKS

This paper is filed in response to the Office Action mailed 3 August 2010. Claims 1-7, 9, 14 - 21, 23 - 25 and 29 were pending in the application. Claim 1, 3, 14 and 16 have been amended. Claims 37-42 have been added. Therefore claims 1-7, 9, 14 - 21, 23 - 25, 29, 36-42 are submitted herewith for entry and reconsideration in conjunction with the concurrently filed Request for Continued Examination.

Amendments to the claims

Claim 1 has been amended to clarify the one-to-one relationship between a workplace module and a workplace access opening. Support for this amendment can be found on at least page 8 paragraph 31 of the application as filed. Claim 14 has been amended to clarify the connection between the transmitting station and the mobile monitoring unit. Support for this amendment can be found in paragraph 0032 on pages 8-9 of the application as filed. Claims 3 and 16 have been clarified.

Claims 37-42 have been added. Support for claim 37 can be found on at least page 8, paragraph 0031 and page 17 paragraph 0058 of the application as filed. Support for claim 38 can be found in at least figure 2 of the application as filed. Support for claims 39 can be found on at least page 6, paragraph 0017 of the application as filed. Support for claim 40 can be found in figure 2 and on at least page 9 paragraph 0033 of the application as filed. Support for claim 41 can be found in at least page 8 paragraph 0031 and page 17 paragraph 0058 of the application as filed. Support for claim 42 can be found in at least page 8 paragraph 0031 and page 17 paragraph 0058 of the application as filed.

Therefore, no new matter is added by such amendments.

Amendment to the Drawings

Applicant requests Figure 11 be added to the application, as was discussed in the telephonic interview dated 25 October 2010. Support for figure 11 can be found on at least page 9 of the application as filed.

Rejection of Claims 1-7, 9, 14 - 21, 23 – 25, 29 and 36

Claims 1-7, 14-17, 19-21, 23, 25, 29 and 36 were rejected under 35 USC 103(a) as being obvious over Marais (WO00/68908) in view of Tsai et al (US 2005/0043859). Further claims 18 and 24 are rejected under 35 USC 103(a) as being unpatentable over Marais.

Claim 1 has been amended to clarify that there is a one-to-one relationship between the workplace access openings and the workplace modules in the present invention. This clarifies that for *each* workplace access opening there is provided a workplace module. Data from this workplace module is transferred to a single transmitting station, which subsequently transfers the data to the monitoring unit.

Applicant believes that these features are not taught in the combination of Marais and Tsai alone or in combination with general knowledge to one of ordinary skill in the art.

Specifically, the system disclosed in Marais has a central surveillance station that controls multiple cameras, audiovisual alarm plug points, video plug points and the like for multiple workplaces. The Examiner admits as much on page 4 of the pending office action wherein he states that “Marais exhibits sensors 24 at each manhole opening to a vessel 12 (figure 1) and a remote surveillance station 20 disposed outside the vessel.” Further, on page 4 the Examiner suggests that figure 1 of Marais reads on the workplace module for each workplace limitation.

Figure 1 of Marais does not show this one-to-one relationship. Rather, Figure 1 shows that there is one remote surveillance station 20, for several manholes.

In a telephone interview with the Examiner on October 25, 2010, Applicant’s representatives emphasized this difference. The one-to-one relationship between a workplace module and a workplace in Applicant’s invention increases efficiency and safety. It should be appreciated that a one-to-one relationship between a workplace module and a workplace or workplace access opening allows for increased mobility and replaceability of the modules from one workplace to another without having to dismantle or repeatedly access a central station, as would be required in Marais, for example. As a result of the presently claimed configuration, significantly reduced set-up times may be achieved with respect to configurations such as that disclosed in Marais.

More importantly, from a safety perspective, the use of a single dedicated workplace module per workplace access opening ensures that there can be no possible confusion with respect to signals and cables coming from different workplaces. The Examiner will appreciate

that in a working environment with many cables and connections, the chance of the video link from a first workplace being combined with the gas detection data from another workplace is a real risk. The configuration of Marais fails to address this risk since all signals from the cameras 16A, 16B, 16C and 16D are connected by cable link 18 to a single remote central surveillance station 20.

A further difference over Marais is that in the present invention a single signal transmitter is present for multiple workplaces modules, as shown in the previously filed figure, proposed figure 11. In Marais, each central surveillance station 20 is directly connected to the control room 32 via wireless or cable link 34.

Further, with regard to claims 14 and 29, Applicant maintains that the combination of Marais and Tsai does not teach or suggest an isolation transformer present at each workplace module, as required by the present invention. Specifically, Marais does not teach or suggest a one-to-one relationship of a workplace module and a workplace access opening, and Tsai does not cure this deficiency. Even if there were some motivation or suggestion to combine the system in Marais with a transformer as taught in Tsai, there is no motivation or suggestion to place a transformer at each workplace module which is provided for each workplace access opening. Indeed, Tsai discloses a single transformer in paragraph 0069, teaching away from the present invention.

With regard to claims 14 and 29, the Examiner further argues on page 10 of the official action that it is obvious for surveillance stations 20 to require multiple outlets. Applicant submits that this argument in fact supports the non-obviousness of the presently claimed configuration. If it were obvious in Marais to provide an isolation transformer at the surveillance station having multiple outlets, there would be no need to have a transformer at each workplace module as required by the present invention.

From a safety perspective, the practical implications of the present invention over Marais are significant. If the central surveillance station of Marais is to provide power for the monitoring of four manholes (14A to 14D) then any disruption at one workplace may affect the whole installation.

Claim 29 also requires that each individual workplace module is provided with data interfaces, thus having the ability to individually transmit data associated with that module and the individual workplace with which it is associated.

Finally, the communication links 34 in figure 2 of Marais do not read on the claimed invention as amended. Specifically, Marais does not teach connecting workplace modules for signal transfer of data collected at each workplace to a transmitting station and transmitting data from the transmitting station to the monitoring unit as required by the claimed invention. Marais does not teach a transmitting station for a group of workplace units but direct connection of a remote central surveillance station to the central control unit. This suggests that Marais is less suitable for mobile configurations as it requires connecting back to a remote central surveillance station every time a new access opening is to be monitored.

As such, Applicant submits that instant obviousness rejection of claims 1, 14 and 29 are improper and should be withdrawn.

Claims 2-7, 9, 15 - 21, 23 – 25 and 36-42 are dependent upon claims 1, 14 and 29 and are believed to be allowable for the same reasons.

Request for Telephonic Interview

Applicant hereby requests a telephonic interview prior telephonic interview prior to generation of the next office action, should a further office action be necessary to clarify any remaining issues. Please email Applicant's representative at haitjemac@hoyngmonegier.com to schedule an interview.

Pursuant to MPEP 502.03, continuing authorization is hereby given to the USPTO to communicate with Applicant's representative concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file.

Extension of Time

Any extension of time that may be deemed necessary to further the prosecution of this application is hereby requested.

Authorization to Charge Fees

The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 50-5380, referencing the docket number shown above.

Respectfully submitted,

/cjhaitjema /

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